

**213 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-41071-2015

Date of Decision : 11.12.2015

GAJPAL RANA

.....Petitioner

VS

STATE OF HARYANA

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gurcharan Dass, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

vii. Whether Reporters of local papers may be allowed to see the judgment?

viii. To be referred to the Reporters or not?

ix. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for regular bail filed in case bearing FIR No.227 dated 19.07.2015, under sections 323/325/506/34/307 & 120-B IPC registered at Police Station Sector 18, Gurgaon, District Gurgaon.

Custody certificate by way of affidavit of Devi Dayal, Deputy Superintendent, District Jail, Gurgaon has been filed and the same is taken on record. Copy supplied to the counsel opposite.

Learned counsel for the petitioner has argued that in any case no weapon was used in the assault and no overt act has been attributed to the petitioner and he has been in custody since 22.08.2015

while co-accused who was attributed slaps was granted bail after about 80 days by CRM-M-36726-2015 decided on 20.11.2015. As per the custody certificate the petitioner has undergone about 105 days of actual imprisonment. Learned Deputy Advocate General has not been able to refute the factual assertions made above.

In my considered opinion in view of the above mentioned facts it would not be appropriate to deny bail to the petitioner. Let him be released on bail to the satisfaction of the trial Court.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

11.12.2015
Pooja Sharma-I